

ACCOUNT NO.
14-389-5000

1979		
Market Use Value	Assmt Ratio	Assessment
Land 4,755,125	20%	951,025
Improvements 0	20%	0
TOTAL 4,755,125	20%	951,025

NOTICE OF CHANGE IN ASSESSED VALUE
OKLAHOMA COUNTY, OKLAHOMA

NOTE: PLEASE READ
REVERSE SIDE.

SCHLD. Improvements
252 TOTAL

GENERAL MOTORS CORPORATION
c/o GM ASSEMBLY CORPORATION
ATTN RESIDENT COMPTROLLER
BOX 26527
OKLA CITY OK 73126

1980		
Market Use Value	Assmt Ratio	Assessment
Land 7,925,195	12%	951,025
Improvements 147,995,185	12%	17,759,420
TOTAL 155,920,380	12%	18,710,445

DATE 01/25/80

Land
Improvements
TOTAL

A-15

ADDITION NAME DESCRIPTION

UNPLTD PT SEC 27 11N 2W PT OF SEC 27 & 34 11N 2W BEG AT SW/C SEC 27 THEN
N2632.18FT E5245.81FT S263 5.83FT W50FT S491.45FT SWLY 518.85FT W800FT SWLY 127.47
FT W1571.52FT NWLY ON A CURVE 1341.54FT SWLY 126.92FT NWLY ON A CURVE 1068.50
FT NWLY 304.06FT NWLY 585.78FT N60FT W50FT TO BEG CONT 438.65ACRS MORE OR
LESS

LOT	BLOCK
000	000

FILED
JAN 30 1984

No. 83-1056

In the Supreme Court of the United States

OCTOBER TERM, 1983

GENERAL MOTORS CORPORATION,
Petitioner,

v.

OKLAHOMA COUNTY BOARD OF
EQUALIZATION, ET AL.,
Respondents.

On Petition for a Writ of Certiorari
To the Supreme Court of Oklahoma

**MOTION OF BUNTE CANDIES, INC., ET AL., FOR
LEAVE TO FILE BRIEF AMICI CURIAE AND
BRIEF IN SUPPORT OF THE PETITION**

William D. Curlee*
Peter T. Van Dyke
David E. Nichols
Lytle, Soule, Curlee, Harrington,
Chandler & Van Dyke
2210 First National Center
Oklahoma City, Oklahoma 73102
(405) 235-7471

Counsel for Amici Curiae

January, 1984

*Counsel of Record.

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OKLAHOMA COUNTY BOARD OF
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On Petition for a Writ of Certiorari
To the Supreme Court of Oklahoma

**MOTION OF BUNTE CANDIES, INC., ET AL.
FOR LEAVE TO FILE A BRIEF AMICI CURIAE**

Pursuant to Rule 36.1 of this Court, Bunte Candies, Inc., Duncan Manufacturing Corporation, Fife Corporation, The Firestone Tire & Rubber Company d/b/a Dayton Tire & Rubber Company, George E. Failing Company, a division of Azcon Corporation, The Hertz Corporation, Kellwood Company, Little Giant Pump Company, Lyntone Belts, Inc., Perfection Equipment Company, Philips Industries, Inc., Scrivner, Inc., Sentry Manufacturing Company and Southwest Electric Co., respectfully request leave to file a brief *amici curiae* in support of the Petitioner, General Motors Corporation ("General Motors"), by joining in and adopting the *amicus curiae* brief submitted by Oklahoma In-

dustries Authority. The Petitioner has consented to the filing of such brief, but the Respondents and Respondent-Intervenor have not consented.

**STATEMENT OF INTEREST
OF AMICI CURIAE**

On August 13, 1980, a class action was instituted in the United States District Court for the Western District of Oklahoma by the corporations named as amici curiae above. The class action was on behalf of over 300 corporations in the State of Oklahoma which had tax abatement agreements with the State and where the agreements were annulled by the State.

Count I of the class action complaint alleged that the taxation of plaintiffs' properties resulted from an unconstitutional impairment of the obligation of the tax abatement contracts in violation of Article I, Section 10, of the United States Constitution. Count II alleged that the annulments violated the Fifth Amendment as incorporated in the Fourteenth Amendment of the United States Constitution. Count III alleged that taxation of the properties constituted a breach of contract.

On motion of the Oklahoma Attorney General the court dismissed the class action on February 11, 1981, on the ground that the court lacked subject matter jurisdiction under 28 U.S.C. §1341, because the class members had a "plain, speedy and efficient" remedy under state law. *Bunte Candies, Inc., et al. v. Attorney General of Oklahoma*, 508 F.Supp. 229 (1981).

Amici curiae corporations have the same interests now as they had at the time of the class action. They respectfully urge this Court to consider the federal constitutional law questions. At least one class member, General Motors, has now exhausted all Oklahoma administrative and judicial protest procedures.

It is believed that the outcome of this case could affect substantially the rights of all members of the class.

WHEREFORE, the named corporations respectfully request that they be granted leave to file a brief *amici curiae* which joins in and adopts the *amicus curiae* brief submitted by Oklahoma Industries Authority.

Dated: Oklahoma City, Oklahoma, January 26, 1984.

Respectfully submitted,

William D. Curlee
Peter T. Van Dyke
David E. Nichols
Lytle, Soulé, Curlee, Harrington,
Chandler & Van Dyke
2210 First National Center
Oklahoma City, Oklahoma 73102
(405) 235-7471
Counsel for Amici Curiae

January, 1984

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Respondents.

**BRIEF AMICI CURIAE
OF BUNTE CANDIES, INC., ET AL.**

INTEREST OF AMICI CURIAE

The interests of Bunte Candies, Inc., Duncan Manufacturing Corporation, Fife Corporation, The Firestone Tire & Rubber Company d/b/a Dayton Tire & Rubber Company, George E. Failing Company, a division of Azcon Corporation, The Hertz Corporation, Kellwood Company, Little Giant Pump Company, Lyntone Belts, Inc., Perfection Equipment Company, Philips Industries, Inc., Scrivner, Inc., Sentry Manufacturing Company and Southwest Electric Co. in supporting General Motors Corporation's Petition for a Writ of Certiorari are set forth in the Motion for Leave to File this Brief *Amici Curiae*.

**ADOPTION OF BRIEF OF AMICUS CURIAE
OKLAHOMA INDUSTRIES AUTHORITY**

The named *amici curiae* join in and adopt the brief *amicus curiae* submitted by Oklahoma Industries Authority.

For the reasons urged by Oklahoma Industries Authority the Petition for Writ of Certiorari should be granted.

Respectfully submitted,

William D. Curlee
Peter T. Van Dyke
David E. Nichols
Lytle, Soulé, Curlee, Harrington,
Chandler & Van Dyke
2210 First National Center
Oklahoma City, Oklahoma 73102
(405) 235-7471

Counsel for Amici Curiae

January, 1984